



City of Eustis

P.O. Drawer 68 • Eustis, Florida 32727-0068 • (352) 483-5430

TO: Eustis City Commission

FROM: Tom Carrino, City Manager

DATE: April 17, 2025

RE: Resolution Number 25-25: Public Records Exemption for Municipal Clerks and Employees who perform municipal elections or code enforcement functions

Introduction:

Florida Association of City Clerks (FACC) is asking municipalities to adopt a resolution urging the Florida State Legislature to enact legislation to provide a public records exemption for Municipal Clerks and employees who perform municipal elections work or have any part in code enforcement functions of a city. At this time, about 80 municipalities have passed resolutions in support of this legislation.

Background:

At the request of the Florida Association of City Clerks, municipalities across the state are requesting municipal support to urge and encourage the Florida Legislature to enact legislation to provide a public records exemption for municipal clerks and employees who perform municipal election work.

Many municipal staff who perform duties that include, or result in, investigations into complaints regarding election fraud, legal enforcement of hearings, or other activities that could lead to a criminal prosecution or code enforcement action are exposed to threats and other acts of violence. Indeed, municipal clerks often administer elections, and some election workers have been targeted for threats and violence due to the nature of materials for which they are responsible. Similarly, municipal clerks are often involved in legal enforcement proceedings in actions related to violations of codes and ordinances and, occasionally, these proceedings have led to retaliation and threats by defendants.

Currently, Florida Statute 119.071 provides exemptions for certain personal information of law enforcement personnel, code enforcement officers and other specific roles who either investigate, enforce or otherwise provide a service that can result in contentious interactions when action is taken. Municipal clerks and their staff are not included in these exemptions, leaving their personal information vulnerable to public records requests. There are currently 27 public records exemptions in Florida. Of these exemptions, eight are for local personnel who either investigate, enforce or otherwise provide a service that can result in contentious interactions when action is taken. Municipal clerks and their respective staff fall within the window for greater protection.

The Florida Association of City Clerks is very concerned about the safety and well-being of the municipal clerks and their staff who serve the public daily and are, oftentimes, the first contact of citizens with cities. Municipal clerks and staff often handle sensitive information and perform critical administrative functions. Protecting their personal information is essential to ensure their safety. Many municipal staff who perform duties that include, or result in, investigations into complaints regarding election fraud, legal enforcement of special magistrate hearings related to neglect or abuse, or other activities that could lead to a criminal prosecution, are exposed to threats and other acts of violence. FACC supports this legislation for a public records exemption for Municipal Clerks and Staff.

Recommended Action:

Eustis is an active member of the Florida Association of City Clerks (FACC), and staff recommends approval of Resolution Number 25-25, including support for HB517/SB 840.

Budget and Staff Impact:

None

Prepared and Reviewed By:

Christine Halloran, City Clerk

Mary C. Montez, Deputy City Clerk